

13281 U.S. PTO
020904

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING NATIONAL PATENT APPLICATION

031431 U.S. PTO
10/773140
020904

Under 35 USC 111(a) and Rule 53(b)

PATENT APPLICATION

WITH SIGNED DECLARATION

Hon. Commissioner of Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

**NONPROVISIONAL
NON REISSUE
NON PCT NAT PHASE**

Sir:

Herewith is the PATENT APPLICATION of:Atty. Dkt. No.: 2545-0438

Inventor(s):	DALL'OSO, Davidel; SARTONI, Massimo; and DRAGHETTI, Fiorenzo
Title:	A DEVICE AND A METHOD FOR SEPARATING AT LEAST ONE CONTINUOUS ROD OF FORMING MATERIAL FOR TOBACCO PRODUCTS

Date: February 9, 2004

Including:

1. Specification: 32 pages (only spec. and claims) 2. Specification in non-English language

3. Declaration Original Facsimile/Copy Abstract 1 page(s); 24 numbered claims

4. Drawings: 3 sheet(s) informal; formal size: A4 11"

5. See top first page re prior Provisional, national or International application(s). ("X" box only if info is there and do not complete corresponding item 5 or 6). (Prior M# _____ SN _____)

6. **AMEND the specification** please by inserting before the first line: This is a Continuation-in-Part

Divisional Continuation Substitute Application (MPEP 201.09) of:

6(a). National Appln. No. _____ / _____ filed:

6(b). International Appln. No. _____ / _____ filed:

which designated the U.S., and that International Application was was not published under PCT Article 21 (2) in English. –

7. **AMEND the specification** please by inserting before the first line: -- This application claims the benefit of U.S.

Provisional Application No. 60/_____, filed _____. --

8. Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

9. Prior application is assigned to _____

by Assignment recorded _____ (date) Reel _____ Frame _____

10. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in Italy

11.

Application No.	Filing Date	Application No.	Filing Date
(1) BO 2003 A 000080	February 20, 2003	(2)	
(3)		(4)	
(5)		(6)	

12. 1 (No.) Certified copy/copies: attached; previously filed on (date) _____

in U.S. Application No. _____ filed on _____.

13. Small Entity Status: is NOT claimed is claimed (Pr -filing confirmation required)

13(a). Attached: _____ No. Small Entity Statement(s) (since 9/8/00 small entity statement(s) not essential to make claim)

13(b). See NONPUBLICATION REQUEST under Rule 213(a) attached (PAT-258)

14. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

15. This application is being filed under Rule 53(b)(2) since an inventor is named in the enclosed Declaration who was not named in the prior application.

16. Attached: _____

17. Preliminary Amendment Attached

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

Basis For Fee				Large Entity/Small Entity	Amount
18. Basic Filing Fee	Regular Utility Application Design Application			\$770 / \$385 \$340 / \$170	+ <u>770.00</u>
19. Total Claims	24	Minus 20 =	4	X \$18 / \$ 9	+ <u>72.00</u>
20. Ind. Claims	2	Minus 3 =	0	X \$86 / \$43	+ <u>0</u>
21. If any proper multiple dependent claim (ignore improper) is present, add (Leave this line blank if this is a reissue application)				\$290 / \$145	+ <u>0</u>
22.				Total Filing Fee Enclosed	<u>\$842.00</u>
23. If "non-English" box 2 is X'd, add Rule 17(k) processing fee				\$130	+ <u>0</u>
24. If "assignment" box 8 is X'd, add recording fee				\$ 40	+ <u>40.00</u>
25. <input type="checkbox"/> Attached is a Petition/Fee under Rule No.				\$130	+ <u>0</u>
26.				Total Fee Enclosed:	<u>\$882.00</u>

27. Please charge the total fee to our deposit account below under the stated order no.: 2545-0438
Our Deposit Account No.: 501860.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Davidson Berquist
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4501 North Fairfax Drive
Suite 920
Arlington, VA 22203
(703) 248-0333 Main
(703) 248-9558 Fax

By: _____
Timothy J. Klima
Registration No.: 34,852

Date: February 9, 2004

NOTE: File in duplicate with PTO receipt & attachments